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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,242	12/17/2001	James Lentz	AUS9-2001-0371-US1	6291
7590	07/15/2004		EXAMINER ROSWELL, MICHAEL	
Edmond A. DeFrank 20145 Via Medici Northridge, CA 91326			ART UNIT 2173	PAPER NUMBER

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,242

Applicant(s)

LENTZ ET AL.

Examiner

Michael Roswell

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: the "Brief Descriptions of the Drawings" section of the specification discloses a Fig. 5E that is not found in the drawings or discussed in the detailed description of the invention.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-8 and 14-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The terms "interactive graphical trigger" and "interactive trigger" are not sufficiently described in the specification. The specification discloses "trigger points" that are configurable and "interactive graphical elements" for configuring those points, but says nothing in terms of an interactive graphical trigger or an interactive trigger.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9-15, and 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Risberg et al (US Patent 5,339,392), hereinafter Risberg.

Regarding claim 1, Risberg teaches configuring plural predefined reference values of interest associated with a resource and an interactive graphical trigger, taught as the setting of above and below limits for an alert, activated by selecting check boxes, at col. 9, lines 60-63. Furthermore, Risberg teaches performing a predefined action when a value of the resource matches one of the reference values, taught as the processing of an alert script on the triggering of an alert, at col. 10, lines 19-20.

Regarding claim 2, Risberg teaches configuring at least one predefined rearm value associated with the reference values of interest, taught as the running of an "end alert" script when the reference value dips to a normal range, at col. 10, lines 23-26.

Regarding claim 3, Risberg teaches using a graphical user interface for displaying and allowing configuration of a trigger, taught as the use of check boxes to configure a limit, and the display of tracked objects on screen, at col. 9, lines 61-65.

Regarding claim 4, Risberg provides a visual feedback alert with real time user interaction as a predefined action, taught as the flashing of a trend line in response to an alert, followed by a user click to end the flashing, at col. 16, lines 25-31.

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Regarding claim 5, Risberg shows visually coded indicia associated with reference values, taught as the display of various symbols and styles for tracked information, at col. 9, lines 35-51.

Regarding claim 6, Risberg teaches displaying visually coded indicia associated with a trigger status, taught as the flashing of tracked information, at col. 16, lines 25-31.

Regarding claim 7, Risberg teaches triggers as threshold points representative of critical values defined by a user, taught as the allowing of a user to set above and below threshold limits, at col. 9, lines 61-64.

Regarding claim 9, Risberg teaches triggers as threshold points representative of critical values defined by a user, taught as the allowing of a user to set above and below threshold limits, at col. 9, lines 61-64. Risberg further teaches rearm values associated with the reference values of interest, taught as the running of an "end alert" script when the reference value dips to a normal range, at col. 10, lines 23-26. Furthermore, Risberg teaches alerting a user when a value of a resource exceeds a configured value of interest, taught as the processing of an alert script on the triggering of an alert, at col. 10, lines 19-20.

Regarding claim 10, Risberg teaches triggers as threshold points representative of critical values defined by a user, taught as the allowing of a user to set above and below threshold limits, at col. 9, lines 61-64.

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Regarding claim 11, it is inherent that since Risberg teaches user configuration of threshold values, trigger points are pre-configured by the computer system initially as null values until otherwise specified.

Regarding claim 12, Risberg provides a visual feedback alert with real time user interaction as a predefined action, taught as the flashing of a trend line in response to an alert, followed by a user click to end the flashing, at col. 16, lines 25-31.

Regarding claim 13, Risberg teaches the adjustment of events related to a resource, taught as the running of scripts to change the appearance of monitor items in response to an alert, at col. 28, lines 5-11. Furthermore, the flexibility of such scripts would allow one to program the suspension, cessation, disablement, re-enablement, or deletion of events related to a resource.

Regarding claim 14, Risberg teaches plural interactive triggers corresponding to reference values, taught as the configuration of upper and lower limits, at col. 9, lines 61-65. Furthermore, Risberg teaches a module that performs a predefined action in response to a value of a resource matching a value of interest, taught as the processing of an alert script on the triggering of an alert, at col. 10, lines 19-20.

Regarding claim 15, Risberg teaches configuring at least one predefined rearm value associated with the reference values of interest, taught as the running of an "end alert" script when the reference value dips to a normal range, at col. 10, lines 23-26.

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Regarding claim 18, Risberg provides a visual feedback alert with real time user interaction as a predefined action, taught as the flashing of a trend line in response to an alert, followed by a user click to end the flashing, at col. 16, lines 25-31.

Regarding claim 19, Risberg teaches triggers as threshold points representative of critical values defined by a user, taught as the allowing of a user to set above and below threshold limits, at col. 9, lines 61-64.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 16-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Risberg.

Regarding claims 8, 16, and 20, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the dynamic graphs of Risberg (Fig. 1) to display the information found in the graphs in a display bar. Applicant has not disclosed that a display bar provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with a dynamic graph because it allows for the dynamic tracking of relevant information and the display of visual alerts.

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Therefore, it would have been obvious to one of ordinary skill in the art to modify Risberg to obtain the invention as specified in claims 8, 16, and 20.

Furthermore, Risberg discloses the use of pop-up dialog boxes to modify the scripts brought on by the interactive triggers, and a menu for configuring the trigger points themselves, at col. 9, lines 53-65.

Regarding claim 17, Risberg shows displaying visually coded indicia associated with a trigger status, taught as the flashing of tracked information, at col. 16, lines 25-31.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art teaches dynamic display of information that alerts a user based on threshold values.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (703) 305-5914. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeza can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
7/8/2004



CAO (KEVIN) NGUYEN
PRIMARY EXAMINER